

Examiner-Initiated Interview Summary	Application No.	Applicant(s)	
	10/634,379	DEMING, JAMES L.	
	Examiner	Art Unit	
	Dan Washburn	2628	

All Participants:

(1) Dan Washburn.

(2) Patrick Holmes.

Status of Application: final rejection issued

(3) _____

(4) _____

Date of Interview: 12 January 2007

Time: 11 am

Type of Interview:

- ☒ Telephonic
☐ Video Conference
☐ Personal (Copy given to: ☐ Applicant ☐ Applicant's representative)

Exhibit Shown or Demonstrated: ☐ Yes ☒ No

If Yes, provide a brief description:

Part I.

Rejection(s) discussed:

101 rejection of claim 8-10

Claims discussed:

8-10

Prior art documents discussed:

none

Part II.

SUBSTANCE OF INTERVIEW DESCRIBING THE GENERAL NATURE OF WHAT WAS DISCUSSED:

See Continuation Sheet

Part III.

- ☐ It is not necessary for applicant to provide a separate record of the substance of the interview, since the interview directly resulted in the allowance of the application. The examiner will provide a written summary of the substance of the interview in the Notice of Allowability.
☒ It is not necessary for applicant to provide a separate record of the substance of the interview, since the interview did not result in resolution of all issues. A brief summary by the examiner appears in Part II above.



(Examiner/SPE Signature)

(Applicant/Applicant's Representative Signature – if appropriate)

Continuation of Substance of Interview including description of the general nature of what was discussed: Examiner Washburn contacted Attorney Holmes to discuss that claims 8-10 are considered non-statutory under 35 USC 101 because the claims are drawn to non-functional descriptive material. Claims 8-10 describe a table of values, which is considered a compilation of data, and is thus considered non-statutory under 35 USC 101. Examiner Washburn recommended cancelling claims 8-10 in order to put the case in allowable form, but Attorney Holmes wanted to see a more detailed explanation of why claims 8-10 are drawn to non-functional descriptive material, so Examiner Washburn agreed to send a detailed written explanation of the rejection of claim 8-10 in a final office action.